

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

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IN RE:

CYNTHIA CARSSOW FRANKLIN,

CHAPTER 13

DEBTOR

CASE NO. 10-20010(RDD)

AFFIDAVIT OF SERVICE

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**APPLICATION OF LAW OFFICES OF LINDA M TIRELLI, ESQ**

TO THE HONORABLE ROBERT D. DRAIN, UNITED STATES BANKRUPTCY JUDGE:  
The application of LINDA M TIRELLI, ESQ. attorney for the Debtor Cynthia Carssow Franklin,  
hereby respectfully represents:

**GENERAL BACKGROUND**

1. On June 1, 2010, Cynthia Carssow Franklin, (the "Debtor") filed a petition with Manhattan Division of the U.S. Federal Bankruptcy Court, Southern District of New York for relief pursuant to Chapter 13 of the Bankruptcy Code. At the time of her original Filing the Debtor acted pro se.
2. On or about June 18, 2010, the Debtor's case was transferred to this court, the White Plains Division of the U.S. Federal Bankruptcy Court, Southern District of New York and assigned to the Honorable Robert D. Drain, United States Bankruptcy Judge.
3. On or about August 3, 2010, Your Applicant, Linda M. Tirelli, Esq., filed a Notice of Appearance to represent the Debtor in her chapter 13 bankruptcy.<sup>1</sup>

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1. <sup>1</sup>At the time of filing her appearance, Attorney Linda M. Tirelli was a solo practitioner at "Law Office of Linda M. Tirelli, PC". Since November 1, 2012 through today, Attorney

4. On or about July 10, 2010 a Proof of Claim was filed by Wells Fargo Bank, NA through its attorneys at the disgraced law firm of Steve J Baum. The proof of claim did not include a Promissory Note indorsed to the claimant creditor and did not provide a chain of title from the originator of the mortgage loan to the named creditor.
5. The undersigned researched the purported assignments included with the claim. The first of which pre-dated the origination of the loan and another assignment was signed by John Kennerty (aka “Herman John Kennerty”) which your applicant recognized to be a robo signer employed by Wells Fargo who had testified at deposition in or about June 2010, just prior to signing the subject assignment in the instant case.
6. The undersigned sought guidance and mentorship on this case from well-seasoned attorneys outside of New York through an intimate group of proactive consumer attorneys with who the undersigned had worked in prior cases with false documents.
7. In August 2010, the undersigned wrote a detailed letter to a lead litigation lawyer at the Steven J Baum firm pointing out a number of flaws and discrepancies in the proof of claim.
8. In September 2010, instead of addressing the aforementioned letter, the Baum Firm and its client had the audacity to amend the proof of claim, this time with a new indorsement in blank from an entity not related to Wells Fargo.
9. The undersigned was told by opposing counsel that it shouldn’t matter who indorsed the note with a rubber stamp, the problem was now “fixed”.

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Linda M. Tirelli is currently a partner at Garvey Tirelli & Cushner, Ltd. Hereinafter the undersigned applicant is referred to as “Linda M. Tirelli, Esq.” or simply “Applicant”.

10. Discussions and correspondences between the undersigned, Wells Fargo and the Baum firm established that Wells Fargo insists that despite what the proof of claim states, it is “only a servicer” and that it was a servicing agent for the owner of the note, Freddie Mac.
11. The undersigned proceeded to file an objection to Wells Fargo’s proof of claim which the court decided to treat as an Adversary Proceeding.
12. Discovery commenced and became hotly contested by Wells Fargo at every stage.
13. To this day, Wells Fargo has refused to produce a servicing contract with Freddie Mac which resulted in this court’s ruling at summary judgment that Freddie Mac has no connection nor interest in the Debtor’s loan. Notwithstanding the judicial determination, Wells Fargo refused to consider the Debtor for a loan modification to include a principal reduction under the National Mortgage Settlement Agreement, still insisting that Freddie Mac owns the loan.
14. Wells Fargo grossly underestimated the drive of this debtor and the undersigned when it refused for almost a year to produce John Kennerty for deposition, ultimately firing Kennerty advising the Debtor that Wells Fargo is terribly sorry it can no longer be required to produce Kennerty as he was no longer under the employment or control of Wells Fargo. The undersigned obtained the robo signer’s notary license and application via a FOIA request and wasted no time serving Mr Kennerty for deposition as a non-party witness.
15. Wells Fargo retained and paid the well-heeled firm of Parker Poe in Charlotte, NC to obstruct the Debtor from deposing Kennerty by filing a Motion for Protective Order in the Federal Bankruptcy Court in Columbia, South Carolina. Off record conversations made it clear, Wells Fargo was taking a no-settlement position and intended to out spend

the Debtor to force her into submission. The undersigned, entirely self funded, retained local counsel in South Carolina, John Cantrell, who under the SC local rules was required to escort the undersigned (admitted in SC, Pro Hac Vice) in the courtroom and at all depositions and proceedings. The undersigned further self funded the costs of travel to and from South Carolina.

16. The Honorable Judge Waites ruled (in a 10 page published opinion) that the Debtor would take Kennerty's deposition but that the transcript would be kept under seal until it was before the court in SDNY. Judge Waites' extensive opinion became something of a well talked about opinion because the Court cited to Rolling Stone magazine's own Matt Taiibi's article about "invasion of the house snatchers" in which Taiibi referred to Kennerty as a "notorious robo signer" as the basis for granting the limited protective order. Taiibi's article had nothing to do with the Franklin case, the Debtor or the undersigned. So it goes that the Waites opinion became something of a public service announcement as lawyers from across the country were made aware of the fact the undersigned would take the deposition of Kennerty and be in possession of the transcript. Ultimately the transcript became public as the USDC refused Wells Fargo's later motion to seal the transcript which is now a public document in the appellate case as discussed below. The Kennerty deposition in the instant case proved to be worth the efforts.
17. Again entirely self-funded the undersigned traveled to Charlotte, NC to take John Kennerty's deposition at the office of Parker Poe, over a 2 day stay for this case and one other unrelated case which was simultaneously unfolding before the Honorable Judge Shelley Chapman and subject to the same ruling by Judge Waites.

18. Wells Fargo's delay tactics were in full force as the bank took more than a year, two phone conferences and a motion for sanctions to finally produce its first 30(b)(6) witness, Mary Ellen Brust.
19. The Debtor went on to prevail at summary judgment leaving the issue as to the authenticity of the blank indorsement for trial.
20. Wells Fargo continued to engage in stall tactics as discovery on the indorsement issue continued and as it produced Kyle Campbel as its new and improved 30(b)(6) witness.
21. Finally, an evidentiary hearing took place in December 2013 and because new evidence emerged by way of a Wells Fargo attorney foreclosure manual and actual order forms for a post-petition note indorsement in an unrelated case. The Court ruled that the additional discovery is warranted and reopened the trial for the additional discovery. Over the course of the next several months Wells Fargo produced a series of Attorney Foreclosure Manuals , each outlining the procedure to be followed to fabricate lost note affidavits, indorsements, assignments, etc. Ultimately, the manuals were not presented in this case.
22. Once the additional discovery period closed, the Court published its opinion finding in favor of the Debtor. Like a shot heard round the world, this court expunged and disallowed the claims of Wells Fargo in a 30 page opinion which includes variations of the word "forgery" 28 times.
23. Wells Fargo filed an appeal with the US District Court.
24. The undersigned continued on as counsel taking no money up front from the Debtor and defended the appeal together with the help of an associate attorney at the undersigned's current firm.

25. The undersigned defeated Appellant's attorneys on issue of keeping the Kennerty Deposition under seal. It was through the broad network of lawyers with whom the undersigned routinely associates that she learned of 2 cases outside of NY where judges had rendered decisions citing to Judge Drain's Opinion in the instant case and specifically the John Kennerty documents. The USDC determined the Kennerty deposition were relied on by Judge Drain and since other courts were already citing the case, the "proverbial cat is out of the bag" and the transcript would not be sealed in the USDC.

26. The appeal is fully submitted since July 2015.

#### **FINAL APPLICATION FOR FEES**

27. This application is made by Linda M. Tirelli, Esq. for final allowance compensation for professional services rendered to and on behalf of the Debtor / Movant during the period beginning July 14, 2010 and ending September 15, 2016, for reimbursement of actual and necessary costs and expenses incurred in connection with the rendition of such services and for professional services.

28. Your applicant has acted as attorney to the Debtor / Movant and has performed all of the necessary legal services in connection therewith.

29. The applicant through her respective law offices of Linda M. Tirelli, PC and Garvey, Tirelli & Cushner, Ltd. regularly maintain records of time expended in the rendition of such services and the costs and expenses incurred. The entries in such records were made in the ordinary course of Linda M. Tirelli's business concurrently with the rendition of such services and the incurring of such costs and expenses. A summary of these records and disbursements is annexed hereto as Exhibit "A".

## **SUMMARY OF PROFESSIONAL SERVICES RENDERED**

30. Your applicant has engaged in extensive research, discovery, conferences, email exchanges, phone calls, in person meetings at the client's request, settlement proposals and discussions, in advancement of the goal of obtaining a global resolution that would be beneficial to the Debtor. Unfortunately, Wells Fargo took a no-settlement position and thus never actually came to the negotiation table, forcing the Debtor to proceed to trial.

31. For the period of July 14, 2010 through September 12, 2016, your applicant has expended hours as follows:

### **STAFF MEMBER HOURS EXPENDED HOURLY RATE CHARGE**

#### **Attorney Linda Tirelli**

Hours: 285.15

Contracted Hourly Rate: \$375.00 regular rate

Total Regular Rate: (289.9 x \$375.00) \$108,712.50

Travel Rate: \$187.50 (1/2 regular rate)

Total Travel: 20 Hours x \$187.50 = \$3750.00

**Linda Tirelli Total: \$112,462.50**

#### **Associate Irina Lust (Appeal Portion of Case)**

Hours: 78.9

Hourly Rate: \$350.00

**Irina Lust Total: \$27,615.00**

**Total Legal Fees Due: \$140,077.50**

32. In addition, your applicant have incurred costs for postage and travel related expenses in the amount of TWO THOUSAND SIX HUNDRED EIGHTY-THREE AND 53/100 (\$2683.53) during this period.

33. In addition, your applicant have incurred costs of having to retain local counsel, Attorney John Cantrell, in South Carolina in the amount of TWO THOUSAND EIGHT HUNDRED THIRTEEN AND 00/100 (\$2813.50). The applicant contends that this was necessary in light of the complex fact pattern and web-like history and requirement that the undersigned file papers in the South Carolina Bankruptcy Court , where she is not licensed, and attend hearings and depositions. Mr. Cantrell is a seasoned bankruptcy litigation attorney and was required to be physically present at all proceedings which included 1 hearing and a full day of deposition. Please Mr. Cantrell's modest invoice attached hereto as Exhibit C.

34. Your applicant believes that the supplemental allowance sought herein for services rendered and to be rendered is clearly fair and reasonable in light of the complexity of the case, the numerous issues involved and the length of time the case was actively ongoing.

35. Your applicant's current rate of pay based on today's market and her experience is \$500.00 per hour, which has been specifically determined to be a fair and reasonable rate for a bankruptcy litigation attorney in the Southern District of New York in prior cases before the Honorable Judge Shelley C. Chapman (In re Perillo on record determination of reasonableness) and awards for fees based on the same rate of pay in settlement contexts have been approved by This Court as well as other courts throughout S.D.N.Y. including the Hon. Judge Glenn, Hon. Chief Judge Cecelia Morris, Hon. Judge James Peck, this court (Hon. Judge Drain) and Hon. Judge Sean Lane. As the Court can see, your applicant is charging the original agreed upon rate of \$375 per hour for her time and \$350 per hour for the time of the associate employed by the applicant's firm.

**VOLUNTARY SUBORDINATION TO CERTAIN CREDITORS**

36. Your Applicant understands that this has been a long road for creditors (other than Wells Fargo) and hereby agrees to subordinate to the portion of claim #2 which is priority owed to the IRS \$13,519.76 and also agrees to subordinate to claim #7 which is a non-dischargeable student loan claim in the amount of \$23,569.37;

37. Any amount owed to Your applicant which exceeds what the trustee currently holds after paying out to to Claim #2 priority and claim #7 and the amounts approved in this fee application will be paid by the Debtor post-bankruptcy.

38. There is no doubt that the Debtor has incurred actual damages at the hands of Wells Fargo and she retains her right to continue to pursue claims against Wells Fargo in the future.

**WHEREFORE**, your applicant respectfully request that the Court enter an Order allowing final compensation in the aggregate amount of \$140,077.50 for professional legal services rendered;

**WHEREFORE**, your applicant respectfully request that the Court enter an Order allowing payment to Linda M. Tirelli, Esq. in the amount of \$5496.53 for out of pocket expenses including travel, copying, retaining local counsel in SC and postage;

DATED: September 15, 2016

/S/ LINDA M. TIRELLI  
Linda M. Tirelli, Esq.  
Law Offices of Linda M. Tirelli PC  
Attorney for Debtor  
One North Lexington Ave., 11th Floor  
White Plains, NY 10601  
Phone: (914)946-0860 / Fax: (914)946-0870

**EXHIBIT “A”**

**INVOICE**



## Linda M. Tirelli, Esq.

September 15, 2016

Invoice #: 1389

Cynthia C. Franklin (CH 13)  
126 Greenridge Ave  
White Plains, NY 10605

Date	Staff	Description	Hours	Rate	Total
		<b>Previous Balance</b>			<b>\$0.00</b>
8/19/2010		Court fee to amend schedules DEF		1 @ \$26.00	\$26.00
10/4/2010		Postage for service of Obj to POC		1 @ \$68.00	\$68.00
9/10/2011		round trip air far from WP to SC, car rental, 1 night hotel, meals		1 @ \$864.53	\$864.53
1/20/2012		Postage to serve MSJ		1 @ \$38.42	\$38.42
10/15/2012		r/t airfare and 2 night hotel stay in Charlotte, meals		1 @ \$1,185.36	\$1,185.36
10/19/2012		Required Retention for Local Counsel in SC		1 @ \$2,813.00	\$2,813.00
5/5/2015		Postage Cost- Appeal to Judge req to reconsider			\$0.98
5/5/2015		Postage Cost- Appeal to opposing counsel req to reconsider		1 @ \$0.98	\$0.98
5/5/2015		Postage Cost- Appeal to Client req to reconsider		1 @ \$0.98	\$0.98
6/25/2015		Copy Stop/Royal Press 1 set of 2619 pages in 14 separate PDF files to OCR capabilities, size to meet court requirements. Burn to 3 custom labeled CD's and one flashkey with reduced sizes. Paid by GTC firm ck 2479 6/25/15 (Appeal)		1 @ \$479.94	\$479.94
6/26/2015		Postage Cost- DCW/ Apellee, Brief & Apendex		1 @ \$0.98	\$0.98
6/26/2015		Postage Cost- Corres to client		1 @ \$0.49	\$0.49
2/3/2016		Postage Cost- letter re: reaffirmation confirmation		5 @ \$0.49	\$2.45
6/30/2016		Postage Cost -obj to poc 3 & 5		1 @ \$1.10	\$1.10
8/1/2016		Postage Cost-2nd amended plan		24 @ \$0.47	\$11.28
8/1/2016		Postage Cost-2nd amended plan		3 @ \$0.68	\$2.04
		<b>Subtotal:</b>			<b>\$5,496.53</b>
3/30/2015	Irina Lust Esq., Associate	Drafted designation of record, discussed case with LT, pulled relevant documents from pacer docket. (Appeal )	2.80	\$350.00	\$980.00
5/11/2015	Irina Lust Esq., Associate	Reviewed brief filed by the bank, appeal case	0.40	\$350.00	\$140.00
5/28/2015	Irina Lust Esq., Associate	Read brief by opposing counsel in preparation to drafting brief (Appeal)	0.60	\$350.00	\$210.00
6/9/2015	Irina Lust Esq., Associate	Reviewing entire file, mapping out strategy for the brief (Appeal)	5.60	\$350.00	\$1,960.00
6/10/2015	Irina Lust Esq., Associate	Reviewing file, mapping strategy (Appeal)	4.50	\$350.00	\$1,575.00

Date	Staff	Description	Hours	Rate	Total
6/11/2015	Irina Lust Esq., Associate	Drafted and research Caselaw (Appeal)	6.70	\$350.00	\$2,345.00
6/12/2015	Irina Lust Esq., Associate	Reviewed sample appellee briefs from LT's colleagues	1.30	\$350.00	\$455.00
6/12/2015	Irina Lust Esq., Associate	Drafted brief (Appeal)	6.30	\$350.00	\$2,205.00
6/15/2015	Irina Lust Esq., Associate	Research and drafting brief (Appeal)	7.80	\$350.00	\$2,730.00
6/16/2015	Irina Lust Esq., Associate	Research and drafting breif (Appeal)	7.20	\$350.00	\$2,520.00
6/18/2015	Irina Lust Esq., Associate	Research and drafting breif (Appeal)	8.20	\$350.00	\$2,870.00
6/19/2015	Irina Lust Esq., Associate	Research and drafting breif (Appeal)	8.50	\$350.00	\$2,975.00
6/22/2015	Irina Lust Esq., Associate	Finishing up assembling appendix adn drafting table of contents (Appeal)	1.80	\$350.00	\$630.00
6/22/2015	Irina Lust Esq., Associate	Discussing case with LT , reviewing emails from colleagues, re: edits (Appeal)	0.60	\$350.00	\$210.00
6/22/2015	Irina Lust Esq., Associate	Reviewing and editing brief with LT (Appeal)	2.30	\$350.00	\$805.00
6/23/2015	Irina Lust Esq., Associate	Revised appendix table of content, made a cover page for the brief, made a cover for the appendix, revised her brief (Appeal)	1.50	\$350.00	\$525.00
6/23/2015	Irina Lust Esq., Associate	LT and LI reviewing, finalizing and editing (Appeal)	5.90	\$350.00	\$2,065.00
6/24/2015	Irina Lust Esq., Associate	Finalized the brief, reviewed with LT (Appeal)	2.10	\$350.00	\$735.00
6/24/2015	Irina Lust Esq., Associate	Finalized the appendix TOC (Appeal)	0.50	\$350.00	\$175.00
6/24/2015	Irina Lust Esq., Associate	Finalized TOC and table of authorities for the brief (Appeal)	1.90	\$350.00	\$665.00
6/24/2015	Irina Lust Esq., Associate	Ordered a printing /scanning job with the printing service, take hard copies to print shop and explain whats needed (Appeal)	0.50	\$350.00	\$175.00
6/24/2015	Irina Lust Esq., Associate	Finalized everything Done! (Appeal)	1.50	\$350.00	\$525.00
8/4/2015	Irina Lust Esq., Associate	Read reply brief by the appellant. Discuss with LT (Appeal)	0.40	\$350.00	\$140.00
		<b>Subtotal: Irina Lust Esq., Associate</b>	<b>78.90</b>		<b>\$27,615.00</b>
7/14/2010	Linda Tirelli, Partner	Chapter 13 \$5000 Base Fee Pd \$2200 Owed \$2800	0.00	\$375.00	\$0.00
7/15/2010	Linda Tirelli, Partner	Review entire case docket, Prepare QWRs per TILA and RESPA	1.00	\$375.00	\$375.00
7/15/2010	Linda Tirelli, Partner	Email to Jody Kava to advise I am filing an appearance	0.00	\$375.00	\$0.00
7/15/2010	Linda Tirelli, Partner	Email to Atty Marans of Baum firm to advise of filing an appearance	0.00	\$375.00	\$0.00
7/26/2010	Linda Tirelli, Partner	Draft cor to Freddie Mac re inconsistent records	0.33	\$375.00	\$125.00
7/27/2010	Linda Tirelli, Partner	Email from Freddie Mac to LT regarding consumer workout/ FC question	0.20	\$375.00	\$75.00
7/27/2010	Linda Tirelli, Partner	Read email blow off cor from Freddie Mac	0.10	\$375.00	\$37.50

Date	Staff	Description	Hours	Rate	Total
8/2/2010	Linda Tirelli, Partner	Email from Michelle Marans to LT receipt of LT QWR Marans is in disagreement; she is requesting 20 days to acknowledge RESPA because of the new legislation as well as 60 days to respond to QWR, and 30 days to respond to TILA request	0.20	\$375.00	\$75.00
8/3/2010	Linda Tirelli, Partner	File Appearance	0.00	\$375.00	\$0.00
8/9/2010	Linda Tirelli, Partner	Amend petition all schedules, pull credit report, calculate and draft Ch 13 Amended Plan, meeting with client to sign and mane corrections, counsel client, serve plan on all parties	2.70	\$375.00	\$1,012.50
8/10/2010	Linda Tirelli, Partner	Research every signature in the POC, send FOIA requests for Notary license infor to track players and who works where, when and for which entity, phone conference with Tom Cox, Esq. and Max Gardner regarding the indeosement and chain of assignments, discuss their files with same players and track pattern, call to Melissa Huelsman Esq in WA re her depo trans of John Kennerty, file initial report of potential fraudulent documents to the US Trustee's office	6.00	\$375.00	\$2,250.00
8/16/2010	Linda Tirelli, Partner	Draft Letter to Michelle Marans re POC signed by her and request for supporting documents along with inspection or original note	0.50	\$375.00	\$187.50
8/17/2010	Linda Tirelli, Partner	Review Amended Obj to Confirm by Wells Fargo	0.25	\$375.00	\$93.75
8/18/2010	Linda Tirelli, Partner	Draft edit and send QWRs per RESPA and TILA Document on ECF email copies to OC and Court	1.00	\$375.00	\$375.00
8/19/2010	Linda Tirelli, Partner	Email from CF to LT 12/03/2003 - 11/20/2009Checking acct info	0.00	\$375.00	\$0.00
8/19/2010	Linda Tirelli, Partner	Email from CF to LT Business P&L and House	0.00	\$375.00	\$0.00
8/19/2010	linda Tirelli, Partner	Email from CF to LT P&L Statements for her Speech Therapy Practice	0.00	\$375.00	\$0.00
8/20/2010	linda Tirelli, Partner	Email from CF requesting copies of P&L to be sent back to her to continue to update for the court; requesting assistance in removing her BK info off of google search	0.00	\$375.00	\$0.00
8/22/2010	linda Tirelli, Partner	Email from CF to LT Business P&L statements	0.00	\$375.00	\$0.00
8/22/2010	linda Tirelli, Partner	Email from CF to LT confirmation of appraisal meeting & Appraiser info also ordered police/ dispatcher report	0.00	\$375.00	\$0.00
8/24/2010	linda Tirelli, Partner	Email to CF editable format of P&L stmt and copies of PDF that were sent to TT; some adjustments were made to match Income Worksheet; email included 4 attachments	0.00	\$375.00	\$0.00
8/30/2010	Linda Tirelli, Partner	Draft Letter to Natalie Grigg demanding response as to how the note specifically indorsed to a non-party is claimed by WF or Freddie Mac, question nature and validity of assignments which appear to be fabricated by her client	0.70	\$375.00	\$262.50

Date	Staff	Description	Hours	Rate	Total
9/23/2010	Linda Tirelli, Partner	Read POC 1-2 amended without explanation to include new indorsement in blank. Read email from Natalie Grigg re her client's amended POC. Research issue of amending POC and the "tah-dah" indorsement, find pattern of similar cases, call to confer with Atty Thad Bartholow in Dallas re his cases w WF and the indorsement issue. Email with research. Report to US Trustee via Greg Zipes	2.00	\$375.00	\$750.00
9/25/2010	Linda Tirelli, Partner	initial draft Obj to POC	3.00	\$375.00	\$1,125.00
9/25/2010	Linda Tirelli, Partner	Discussion w client and start to draft Obj to POC	0.00	\$375.00	\$0.00
9/29/2010	Linda Tirelli, Partner	Phone call with Melissa HuelsmanEsq re Kennerty Trans and her case history	0.40	\$375.00	\$150.00
10/1/2010	Linda Tirelli, Partner	Continue drafting Obj to POCs	3.00	\$375.00	\$1,125.00
10/3/2010	Linda Tirelli, Partner	Edit and revise obj to poc	6.00	\$375.00	\$2,250.00
10/4/2010	linda Tirelli, Partner	Email from Freddie Mac to LT regarding consumer workout/ FC questions	0.20	\$375.00	\$75.00
10/4/2010	Linda Tirelli, Partner	Finalize Draft of Obj, edit and revise obj to poc assemble the documents for filing, file on ECF ship copies	7.00	\$375.00	\$2,625.00
10/11/2010	linda Tirelli, Partner	Email from CF to LT request for Moss' email and report he moved across the street	0.00	\$375.00	\$0.00
10/11/2010	linda Tirelli, Partner	Email exchange from LT to CF re concerns about Moss Claim	0.00	\$375.00	\$0.00
10/11/2010	linda Tirelli, Partner	Email from CF to LT forwarding an email from Glen Moss to CF dated 5/24/2010 June TT notice and fake creditors showing up; 1 attachment	0.00	\$375.00	\$0.00
10/20/2010	linda Tirelli, Partner	Email from LT to Cf explaining assistance only available with pre petition claims	0.00	\$375.00	\$0.00
10/20/2010	linda Tirelli, Partner	email from CF to LT thanking for explanation	0.00	\$375.00	\$0.00
10/20/2010	linda Tirelli, Partner	email from CF to LT appraisal for 2523 Crenshaw Dr house review appraisal report 1 attachment (26 pages)	0.00	\$375.00	\$0.00
10/28/2010	Linda Tirelli, Partner	Phone call with Natalie Grigg regarding litigation and that I dont understand how "it" works, her request for adjournment	0.20	\$375.00	\$75.00
11/16/2010	Linda Tirelli, Partner	Draft and post letter re adjournment on ECF	0.25	\$375.00	\$93.75
11/18/2010	Linda Tirelli, Partner	Draft and Serve Req for Prodction of Docs and 3 Notices of Depo	2.00	\$375.00	\$750.00
11/21/2010	linda Tirelli, Partner	email from CF to LT P&L Speech & Property Rental/ house appraisal Profit and Loss for Speech therapy, Profit and Loss for House, Appraisal after storm (3 Attachments)	0.00	\$375.00	\$0.00
12/7/2010	Linda Tirelli, Partner	Read - response in opposition filed by N Grigg for WF 125 pages (11 docs), forward copy to client, note issues, forward to colleagues for discussion	6.00	\$375.00	\$2,250.00

Date	Staff	Description	Hours	Rate	Total
12/14/2010	linda Tirelli, Partner	Review client provided re: phone log from 7/20/09-06/20/10 with account of trying to resolve issues with WF	0.50	\$375.00	\$187.50
1/6/2011	linda Tirelli, Partner	Email client to LT re: delayed court pmt, home improvement exp, accounting errors, may phone logs with WF, would like to sue	0.40	\$375.00	\$150.00
1/6/2011	linda Tirelli, Partner	Email client to LT re: email issues with phone, Steven Baum's office sent an ambulance, transfer from Dallas office to buffalo office, paperwork signed 11/2/2000,	0.00	\$375.00	\$0.00
1/6/2011	linda Tirelli, Partner	Email LT to Client re: ambulance address issue re cause of action	0.00	\$375.00	\$0.00
1/10/2011	linda Tirelli, Partner	Email client to LT re: 1/24/11 court pmt, house rent, claims, false claims, law suit, damage and taken items, police report,	0.00	\$375.00	\$0.00
1/12/2011	linda Tirelli, Partner	email Client to LT re: fwd of Glen Moss Email from 10/11/10, no bill issued, was planning on keeping deposit due to theft & damage, information was provided to Keller williams, Moss didnt show to 12/9 hearing so lawsuit was dismissed.	0.00	\$375.00	\$0.00
1/17/2011	Linda Tirelli, Partner	Phone con with OC re discovery status advised no witness will be produced and the servicing agreement w WF and Freddie Mac is privileged and wont be produced	0.20	\$375.00	\$75.00
1/17/2011	Linda Tirelli, Partner	Draft cor to Court requesting phone conference to resolve discovery issues	0.40	\$375.00	\$150.00
1/17/2011	Linda Tirelli, Partner	Read responsive cor from OC to Court re discovery	0.10	\$375.00	\$37.50
1/18/2011	Linda Tirelli, Partner	email LT to Chambers, Natalie Grigg, Greg Zipes, providing details for conference call schedules for 1/24/11	0.20	\$375.00	\$75.00
1/23/2011	Linda Tirelli, Partner	email LT to Chambers, Natalie Grigg, Greg Zipes, reminder for conference call schedules for 1/24	0.20	\$375.00	\$75.00
1/24/2011	linda Tirelli, Partner	Email Billy Hildbold (clerk) to LT re: Hon. Drain will be late to conf call	0.10	\$375.00	\$37.50
1/24/2011	linda Tirelli, Partner	Attend court conference call with OC Greg Zipes and third lawyer for WF from Hogan Lovell	0.30	\$375.00	\$112.50
3/8/2011	linda Tirelli, Partner	email LT to Natalie Griggs re: not entering stipulated motion for protective order, confirm Kennerty depo	0.30	\$375.00	\$112.50
3/8/2011	linda Tirelli, Partner	email LT to Natalie Griggs re: Client will be present at Depos & hearings, refusal to agree to provision in conf agmt	0.40	\$375.00	\$150.00
3/9/2011	linda Tirelli, Partner	email natalie to LT unable to conf depo dates due to filing of Mot of Protective Order	0.10	\$375.00	\$37.50
3/9/2011	linda Tirelli, Partner	email CF to LT re Nov- Feb 2010 P&L Statements	0.50	\$375.00	\$187.50
3/14/2011	linda Tirelli, Partner	Draft and file letter w court re adjournment of confirmation	0.20	\$375.00	\$75.00
3/14/2011	linda Tirelli, Partner	Read cor to court by OC re requ for confernce on discovery WF wants a PO on John Kennerty Depo	0.20	\$375.00	\$75.00

Date	Staff	Description	Hours	Rate	Total
3/18/2011	linda Tirelli, Partner	Read appearance filed by Hogan Lovell firm Phone call with Allison Schoenthal, Esq re case status and discovery	0.20	\$375.00	\$75.00
3/18/2011	linda Tirelli, Partner	Cor to Court defending refusal to enter voluntary PO as to John Kennerty. Research and cases cited (total 12 pgs 2 docs)	2.00	\$375.00	\$750.00
5/13/2011	Linda Tirelli, Partner	Read OC Motion for Protective Order 80 pages (8 docs)	2.05	\$375.00	\$768.75
6/20/2011	Linda Tirelli, Partner	Confer with Atty John Cantrell regarding need for local counsel in South Carolina, local rules, discuss needs to pursue deposition in SC	1.00	\$375.00	\$375.00
6/20/2011	Linda Tirelli, Partner	Conference w/ OC re John Kennerty fired	0.10	\$375.00	\$37.50
6/21/2011	Linda Tirelli, Partner	confer with local counsel, arrange conference room, retain local counsel, arrange deposition, confirm John Kennerty home address per info from FOIA response (2010) and current land records, confer with process server, draft and send out Subpoena on Kennerty	3.03	\$375.00	\$1,137.50
6/24/2011	Linda Tirelli, Partner	Read OC cor to court re w/draw Mot Protective Order	0.03	\$375.00	\$12.50
6/24/2011	Linda Tirelli, Partner	post subpoena for Kennerty on ECF along with new notice to take depo of non party witness	0.70	\$375.00	\$262.50
7/21/2011	linda Tirelli, Partner	email Josh Dixon to LT 7/26 hearing resched request	0.30	\$375.00	\$112.50
7/21/2011	linda Tirelli, Partner	email John Cantrell to LT forwarding SC electric filing notification	0.10	\$375.00	\$37.50
7/24/2011	linda Tirelli, Partner	email John Cantrell to LT forwarding SC electric filing notification for certificate of service	0.10	\$375.00	\$37.50
8/8/2011	linda Tirelli, Partner	email John Cantrell to LT forwarding PACER filings	0.10	\$375.00	\$37.50
8/8/2011	linda Tirelli, Partner	email LT to John Cantrell confirming receipt of Pacer filings	0.10	\$375.00	\$37.50
8/8/2011	linda Tirelli, Partner	email to Atty John Cantrell requesting docs and sending as PDF attachments	0.20	\$375.00	\$75.00
8/20/2011	Linda Tirelli, Partner	Draft papers for pro hac vice admission into SC, confer with Cantrell	1.00	\$375.00	\$375.00
8/24/2011	linda Tirelli, Partner	email LT to Billy Hildbold re: a 30b6 witness and a servicing agmt were not produced, instructed not to file a motion but willing to draft an order to show cause, please request any further needed docs	0.50	\$375.00	\$187.50
8/25/2011	linda Tirelli, Partner	Email Janice Appler to LT attachment of request .pdf version of testimony.	2.00	\$375.00	\$750.00
8/29/2011	linda Tirelli, Partner	Email John Cantrell to LT forwarding PACER filing of Mot to Appear pro hac vice	0.10	\$375.00	\$37.50
8/31/2011	linda Tirelli, Partner	Email LT to Schiavo, Zipes, Kava, Hildbold, O'Shea, with 4 attachments transcripts, letter, exhibits	0.60	\$375.00	\$225.00
8/31/2011	linda Tirelli, Partner	Email LT to Andy Velez Rivera, fwd of previous email due to unintentional omission	0.10	\$375.00	\$37.50
8/31/2011	Linda Tirelli, Partner	draft research edit objection to MPO filed in SC as to John Kennerty	6.60	\$375.00	\$2,475.00
9/1/2011	Linda Tirelli, Partner	Continued edit and final draft and research re objection to MPO as to John Kennerty	2.00	\$375.00	\$750.00

Date	Staff	Description	Hours	Rate	Total
9/10/2011	Linda Tirelli, Partner	Travel to Columbia SC for hrg on Mot PO w J Waites 1/2 rate	4.00	\$187.50	\$750.00
9/10/2011	Linda Tirelli, Partner	meet and confer w local counsel John Cantrell, prep for hearing	4.75	\$375.00	\$1,781.25
9/11/2011	Linda Tirelli, Partner	Meet and confer w OC Brian Cromwell of Parker Poe, discuss compromise, proceed to attend hearing with J Waites	5.00	\$375.00	\$1,875.00
9/11/2011	Linda Tirelli, Partner	Travel back to NY 1/2 rate	4.00	\$187.50	\$750.00
9/16/2011	Linda Tirelli, Partner	Read 10 page opinion by J Waites re Kennerty PO Draft and post status update for Judge Drain	1.40	\$375.00	\$525.00
9/21/2011	Linda Tirelli, Partner	Read emergency request fro N Schiavo to Court re discovery and respond via letter concerning unavailability bc mandated for appearance by another court	0.30	\$375.00	\$112.50
9/21/2011	Linda Tirelli, Partner	Response to court re Schiavo "emergency" letter 306 pgs 5 docs	1.08	\$375.00	\$406.25
9/23/2011	Linda Tirelli, Partner	Deposition of Mary Ellen Brust 30(b)(6) for WF 10:00am-5:30pm	7.50	\$375.00	\$2,812.50
9/23/2011	Linda Tirelli, Partner	Travel to Deposition of Mary Ellen Brust 30(b)(6) for WF train and subway 2 hrs r/t charged at 1/2 rate	2.00	\$187.50	\$375.00
10/11/2011	Linda Tirelli, Partner	Court Appearance re status of discovery and request to file Motion for Summary Judgment	1.33	\$375.00	\$500.00
10/12/2011	Linda Tirelli, Partner	email DiSalvo to Schiavo re the notification deadline to respond to the request for sanctions & filing instructions; with 5 attachments	0.30	\$375.00	\$112.50
10/12/2011	Linda Tirelli, Partner	Letter motion requesting sanctions	2.00	\$375.00	\$750.00
10/14/2011	Linda Tirelli, Partner	email LT to Andy Velez Rivera & Zipes, re Judge Drain Corr & exhibits with 5 attachments	0.20	\$375.00	\$75.00
10/19/2011	Linda Tirelli, Partner	email Schiavo to LT re letter to Judge Drain with 1 attachments	0.20	\$375.00	\$75.00
10/19/2011	Linda Tirelli, Partner	Read OC response to my motion requesting sanctions	0.20	\$375.00	\$75.00
10/26/2011	Linda Tirelli, Partner	Prepare for and Attend hearing on mot for sanctions OC claims there is no servicing agreement	2.00	\$375.00	\$750.00
10/27/2011	Linda Tirelli, Partner	Confer with OC as to future proceedings	0.20	\$375.00	\$75.00
11/2/2011	Linda Tirelli, Partner	email Schoenthal re depo date i 12/20	0.10	\$375.00	\$37.50
11/10/2011	Linda Tirelli, Partner	email LT to Schiavo re Order Denying Sanctions	0.20	\$375.00	\$75.00
11/10/2011	Linda Tirelli, Partner	email schiavo to LT order request by Judge Drain not instructed for submission on notice	0.20	\$375.00	\$75.00
11/10/2011	Linda Tirelli, Partner	email LT to Schiavo requesting proposed orders, emails, letters, corr,	0.20	\$375.00	\$75.00
11/10/2011	Linda Tirelli, Partner	email LT to Schiavo reminder of earlier request for copies of comm	0.20	\$375.00	\$75.00
11/10/2011	Linda Tirelli, Partner	Email schiavo to LT notifying proposed order submitting in AM and no other communication occurred; and 1 attachment	0.20	\$375.00	\$75.00
11/10/2011	Linda Tirelli, Partner	Read court order denying sanctions	0.10	\$375.00	\$37.50

Date	Staff	Description	Hours	Rate	Total
11/12/2011	linda Tirelli, Partner	Email LT to Schiavo requesting all communications to be disclosed	0.30	\$375.00	\$112.50
11/12/2011	linda Tirelli, Partner	Email LT To Bubba fwd hearing transcript	0.30	\$375.00	\$112.50
11/23/2011	linda Tirelli, Partner	Email Bubba to Jeff Daniel. Dtails of Case and MSJ filing, consider class action suit,	0.20	\$375.00	\$75.00
11/23/2011	linda Tirelli, Partner	email Jeff to Bubba, re further questions which need to be answered on this case	0.20	\$375.00	\$75.00
11/23/2011	linda Tirelli, Partner	email Bubba to LT re Obj to Claim, rule 23 language,	0.30	\$375.00	\$112.50
11/28/2011	linda Tirelli, Partner	email LT to counsel in AK re MSJ, fraud issues, escrow double dip sees that this may apply to Franklin case	0.30	\$375.00	\$112.50
11/28/2011	linda Tirelli, Partner	email Bubba to LT re Drain ruling on Obj then file AP injunctive relie	0.20	\$375.00	\$75.00
12/16/2011	linda Tirelli, Partner	email Schiavo to LT requesting Depo adjournment to post holidays	0.20	\$375.00	\$75.00
12/16/2011	linda Tirelli, Partner	email LT to Schiavo will check adjournment with client, apology for MSJ delay, question possibility of settlement	0.30	\$375.00	\$112.50
12/16/2011	linda Tirelli, Partner	Rev email from OC Schiavo, WF willing to discuss settlement, send email to confirm adjourn,	0.30	\$375.00	\$112.50
12/16/2011	linda Tirelli, Partner	email LT to Schiavo, conf adjournment of Depo, requesting list of docs FRE408 protection, demand letter, principal and interest reduction	0.30	\$375.00	\$112.50
1/5/2012	linda Tirelli, Partner	email LT to David Shaev re class action over escrow double dip in BK by WF, Shaev thinks this may apply to Franklin case, review Shaev's search on issue	0.60	\$375.00	\$225.00
1/15/2012	Linda Tirelli, Partner	Draft Motion for Summary Judgement as to 2 issues	6.00	\$375.00	\$2,250.00
1/15/2012	Linda Tirelli, Partner	Conf w OC Schiavo despite prior representations WF is "marking" the case as "No Settlement" position	0.10	\$375.00	\$37.50
1/19/2012	Linda Tirelli, Partner	Edit and reDraft Motion for Summary Judgement as to 2 issues	3.00	\$375.00	\$1,125.00
1/20/2012	Linda Tirelli, Partner	Final edits and draft of MSJ file with court and serve	3.67	\$375.00	\$1,375.00
1/25/2012	Linda Tirelli, Partner	Review errata sheet filed by OC for Mary Ellen Brust call with OC re writing on the errata sheet, draft cor post to ECF re atty schiavo made the errata sheet changes	0.60	\$375.00	\$225.00
1/26/2012	Linda Tirelli, Partner	Draft letter to court requesting phone conference per LBR 7001-1 with exhibits (35 pgs) re Wells Fargo stonewalling discovery	1.40	\$375.00	\$525.00
1/27/2012	Linda Tirelli, Partner	Read letter from N Schiavo address to court re my letter asking for a phone conference re discovery (33 pages) ; phone call to Schiavo and discussion with Greg Zipes and Andy Velez-Rivera of UST	1.30	\$375.00	\$487.50
1/31/2012	linda Tirelli, Partner	email CF to LT requesting transcript bill copy	0.20	\$375.00	\$75.00
2/6/2012	linda Tirelli, Partner	email Schiavo to LT conf CF Depo on 2/21 at Hogan Lovells with 1 attachment	0.20	\$375.00	\$75.00
2/6/2012	linda Tirelli, Partner	email Janice appler to LT attachment of request .pdf version	0.10	\$375.00	\$37.50
2/23/2012	Linda Tirelli, Partner	Read and analyze WF Opp to Mot for Relief from Stay	2.40	\$375.00	\$900.00

Date	Staff	Description	Hours	Rate	Total
2/27/2012	Linda Tirelli, Partner	Prepare for oral argument re MSJ	3.30	\$375.00	\$1,237.50
3/1/2012	Linda Tirelli, Partner	Attend hearing / oral argument re MSJ Prepare exhibits, call to client to discuss outcome	6.00	\$375.00	\$2,250.00
3/13/2012	Linda Tirelli, Partner	Read MSJ hrg transcript, share and discuss with colleagues re planned discovery strategy	1.20	\$375.00	\$450.00
4/20/2012	Linda Tirelli, Partner	Draft Final Order re Summary Judgment, after discussions w OC, present to court	1.00	\$375.00	\$375.00
5/21/2012	Linda Tirelli, Partner	Read court's Order granting SJ in part serve on OC	0.20	\$375.00	\$75.00
6/25/2012	Linda Tirelli, Partner	call with OC and draft cor to court adjourning all matters to September as discovery is ocontinuing and depos sched for August	0.30	\$375.00	\$112.50
8/20/2012	linda Tirelli, Partner	email LT to CF re prop loss dept at WF, OC is not retained for this aspect, they suggest following WF procedures, we will file a motion if Wf wont cooperate	0.37	\$375.00	\$137.50
8/27/2012	linda Tirelli, Partner	Email to OC re sent loss dept paperwork, roofer will start soon, roofer will put lien if not paid, TT pmt, WF lapse, settlement offer for the roof damage after storm	0.40	\$375.00	\$150.00
9/4/2012	linda Tirelli, Partner	email LT to Schiavo re WF agree to fix roof and endorse checks, WF refuses to update mailing address,	0.30	\$375.00	\$112.50
9/4/2012	linda Tirelli, Partner	Email Schiavo to LT requesting all communications to go through her	0.20	\$375.00	\$75.00
9/4/2012	linda Tirelli, Partner	email LT to schiavo clarifying LT did not contact WF, CF is paying a lawyer to handle this, reminder actions that interfere with preservation of asset is a violation of 362, WF needs to STOP contacting the debtor	0.30	\$375.00	\$112.50
9/26/2012	Linda Tirelli, Partner	call with Lisa OShea re court needs to adjourn to 11/28 draft cor post on ecf and forward to OC	0.30	\$375.00	\$112.50
10/3/2012	linda Tirelli, Partner	email OC re roof was replaced, tenants moved out, Ins company stopped payment because WF took too long to deposit, Ins reissue a check. Phone call w OC	0.60	\$375.00	\$225.00
10/8/2012	linda Tirelli, Partner	email Brian Cromwell to LT re confirm kennerty depo, need attendees need court reporter, request copies of depo docs as per local rule 7030-1h	0.40	\$375.00	\$150.00
10/8/2012	linda Tirelli, Partner	email LT to John Cantrell to confirm Rule 7030-h	0.10	\$375.00	\$37.50
10/8/2012	linda Tirelli, Partner	email John Cantrell to LT re no mandatory to present exhibits, pasted local rule	0.30	\$375.00	\$112.50
10/8/2012	linda Tirelli, Partner	email LT to Cantrell re refusal to show depo docs, bogus AOM, nominee	0.30	\$375.00	\$112.50
10/8/2012	linda Tirelli, Partner	email LT to Brian assuming depo start time, notify of refusal to produce depo docs in advance, received checks and will issue new ones, will notify if local counsel will attend.advise OC client of separation agmt, confidentially agmt ; subpoenaed depo	0.50	\$375.00	\$187.50
10/8/2012	linda Tirelli, Partner	Email Brian Cromwell to LT confirming separation agmt, depo start time, and no consent to NC counsel	0.30	\$375.00	\$112.50

Date	Staff	Description	Hours	Rate	Total
10/8/2012	linda Tirelli, Partner	email cantrell to LT further explanation of NC local rule & his suggestions pertain there too	0.30	\$375.00	\$112.50
10/8/2012	linda Tirelli, Partner	email LT to cantrell explaining refusal to provide docs in advance	0.10	\$375.00	\$37.50
10/9/2012	linda Tirelli, Partner	email cantrell to LT further explanation of his suggestion to provide docs in advance, does not see NC counsel as necessary	0.30	\$375.00	\$112.50
10/9/2012	linda Tirelli, Partner	email LT to brian cromwell following up request for docs, identify exhibits, objections,	0.40	\$375.00	\$150.00
10/9/2012	linda Tirelli, Partner	email LT to Cantrell re AOM, kennerty prior testimony, identified exhibitions and motions, freddie acquisition of loan, PSJ, authentication of endorsement,	0.40	\$375.00	\$150.00
10/9/2012	linda Tirelli, Partner	email Cantrell to LT approval of Brian email, verification of exhibit, admissibility of WF screenshot, Judge Drain argument with attachment from loan closing prior to endorsement	0.40	\$375.00	\$150.00
10/9/2012	linda Tirelli, Partner	email LT to Cantrell re affidavit, Judge Drain Ruling, dating after POC, affidavit doesnt confirm personal knowledge of when or how	0.30	\$375.00	\$112.50
10/9/2012	linda Tirelli, Partner	email LT to Cromwell re follow up on separation agmt, who is expected	0.30	\$375.00	\$112.50
10/9/2012	linda Tirelli, Partner	email cantrell to LT request for preference on NC local counsel	0.20	\$375.00	\$75.00
10/9/2012	linda Tirelli, Partner	email LT to Cantrell explaining the open ended request for counsel BC unable to object	0.20	\$375.00	\$75.00
10/14/2012	Linda Tirelli, Partner	Travel to Charlotte for depo of Kennerty 1/2 rate	4.00	\$187.50	\$750.00
10/14/2012	Linda Tirelli, Partner	Meeting with John Cantrell (local counsel) prepare for depo review file discuss additional research on Kennerty as relevant, call to Atty April Charney in Fl re depo issues	5.00	\$375.00	\$1,875.00
10/15/2012	Linda Tirelli, Partner	Meet w/ John Cantrell, Attend deposition of Herman John Kennerty Discussions with Atty's at Parker Poe and from WF Corporate	6.70	\$375.00	\$2,512.50
10/16/2012	Linda Tirelli, Partner	Travel back to NY 1/2 rate	4.00	\$187.50	\$750.00
10/25/2012	linda Tirelli, Partner	email Marela Kajasa to LT Kennerty Transcripts 12126	0.10	\$375.00	\$37.50
10/25/2012	linda Tirelli, Partner	email LT to Cantrell forwarding transcripts from kennerty	0.10	\$375.00	\$37.50
10/25/2012	linda Tirelli, Partner	email Cantrell to LT re confidentiality until unsealed by judge	0.10	\$375.00	\$37.50
10/26/2012	linda Tirelli, Partner	email LT to CF fwd transcripts of depo, explaining under seal, explaining possibility of sanctions if violated, will fwd invoice once received; nd 2 attachments	0.00	\$375.00	\$0.00
10/26/2012	linda Tirelli, Partner	email CF to LT confirming receipt of transcripts	0.00	\$375.00	\$0.00
10/30/2012	linda Tirelli, Partner	Email Javon Tinsley (Huseby) to LT er files now available online, exhibits (18), LEF exhibit linked, Pdf transcripts (4), PTZ transcript, transcript	0.40	\$375.00	\$150.00

Date	Staff	Description	Hours	Rate	Total
11/14/2012	linda Tirelli, Partner	email Lisa OShea to LT calendar for CF attached for review, consider possibility of adjournment	0.20	\$375.00	\$75.00
11/16/2012	linda Tirelli, Partner	email Lisa OShea to LT re will CF stay on 11/28 calendar	0.10	\$375.00	\$37.50
11/16/2012	linda Tirelli, Partner	email LT to Lisa OShea re: CF can be moved, trying to settle,	0.10	\$375.00	\$37.50
11/16/2012	linda Tirelli, Partner	email Lisa OShea to LT confirmation of removal for 11/28 calendar of boh issues: Obj by WF and Obj to Claim of WF	0.20	\$375.00	\$75.00
11/16/2012	linda Tirelli, Partner	email Lisa OShea to LT request for adjournment date for 11/28 hearing	0.10	\$375.00	\$37.50
11/17/2012	linda Tirelli, Partner	email LT to Lisa OShea selection of 1/30 adjournment date from 11/28	0.10	\$375.00	\$37.50
2/13/2013	linda Tirelli, Partner	email LT to Dorothy Li re date for non ch 13 day for evidentiary hearing on Obj to POC, provide a date ASAP, feel free to speak in person	0.40	\$375.00	\$150.00
2/13/2013	linda Tirelli, Partner	Email Dorothy Li to only date availb 5/3	0.20	\$375.00	\$75.00
2/13/2013	linda Tirelli, Partner	Email LT to schiavo & griggs to verify 5/3 hearing availability	0.20	\$375.00	\$75.00
2/15/2013	linda Tirelli, Partner	email LT to Dorothy LI re 5/3 date and no response from OC with email attached that was sent requesting approval from OC	0.30	\$375.00	\$112.50
2/15/2013	linda Tirelli, Partner	email Schiavo to LT & Li unavail 5/3 for hearing	0.20	\$375.00	\$75.00
2/15/2013	linda Tirelli, Partner	email LT to Schiavo questioning the nondisclosure of possible witness	0.20	\$375.00	\$75.00
2/15/2013	linda Tirelli, Partner	email Li to LT & Schiavo requesting availability for 5/20	0.10	\$375.00	\$37.50
2/15/2013	linda Tirelli, Partner	email Schiavo to LT and Li will advise next week if 5/20 works	0.10	\$375.00	\$37.50
2/15/2013	linda Tirelli, Partner	email LT to schiavo & Li confirming 5/20 is good for debtor	0.10	\$375.00	\$37.50
2/15/2013	linda Tirelli, Partner	email Li to LT informing of the confirmation to be delayed until Schiavo confirms or denies availability	0.10	\$375.00	\$37.50
2/25/2013	linda Tirelli, Partner	email Schiavo to LT & Li confirmation of 5/20 avail	0.10	\$375.00	\$37.50
3/5/2013	linda Tirelli, Partner	email CF to LT re Ms Hatmil of IRS BK office phone call details, mixd messages from IRS, Contact marie to mke decisions, request for current transcript,	0.00	\$375.00	\$0.00
3/11/2013	Linda Tirelli, Partner	Draft Letter requesting document and witness list from OC email exchange and phone calls (4 emails 3 calls)	0.70	\$375.00	\$262.50
3/13/2013	linda Tirelli, Partner	email CF to LT 2011 tax filed, scanned receipts, with 1 attachment	0.00	\$375.00	\$0.00
4/4/2013	Linda Tirelli, Partner	Draft and post letter adjourning coonfirmation call with Jody Kava discussing status of the case and pending litigation	0.30	\$375.00	\$112.50
4/17/2013	linda Tirelli, Partner	email exchange w client re status of BK base case	0.00	\$375.00	\$0.00
4/17/2013	linda Tirelli, Partner	review of depo trans	0.60	\$375.00	\$225.00
4/29/2013	Linda Tirelli, Partner	Draft and post letter adjourning coonfirmation	0.20	\$375.00	\$75.00

Date	Staff	Description	Hours	Rate	Total
6/15/2013	Linda Tirelli, Partner	Research Kyle Campbell the named 30 b6 for WF	2.00	\$375.00	\$750.00
6/27/2013	Linda Tirelli, Partner	Meeting with client for Depo preparation	1.00	\$375.00	\$375.00
6/30/2013	Linda Tirelli, Partner	Prepare for deposition of Kyle Campbell organize exhibits, review file	2.00	\$375.00	\$750.00
7/1/2013	linda Tirelli, Partner	Rev email attachments from CF - incl scanned cks found, escrow ck, daily planner from time of closing, fed ex'd June & July 2010 pmts,	0.60	\$375.00	\$225.00
7/1/2013	linda Tirelli, Partner	Conf w client re unapplied chcks, good faith, 21st Century Mediation testing memory of exact time she executed the closing docs and returned them to mortgage broker, affidavit & notarized with Mortgage Factory, mailbox on 6th ave, Austin Closers, Halloween Parade so street closed, mother ill and ultimately passed, the broker Mark Minchew, copies of checks and receipts	1.25	\$375.00	\$468.75
7/1/2013	linda Tirelli, Partner	email LT to CF providing depo time, address, and security procedure	0.00	\$375.00	\$0.00
7/1/2013	linda Tirelli, Partner	email CF to LT article on 21st Century Mediation litigation with WF	0.20	\$375.00	\$75.00
7/1/2013	linda Tirelli, Partner	Email Exchange with OC re Deposition scheduled for 7/2	0.20	\$375.00	\$75.00
7/1/2013	linda Tirelli, Partner	email exchange with client ( 5 emails)	0.00	\$375.00	\$0.00
7/2/2013	Linda Tirelli, Partner	Prepare and take deposition of Kyle Campbell of WF at office of OC in NYC, confer with OC, meeting re case, no settlement position continued by WF	8.50	\$375.00	\$3,187.50
7/2/2013	Linda Tirelli, Partner	Travel to deposition of Kyle Campbell of WF (1/2 rate)	2.00	\$187.50	\$375.00
7/8/2013	Linda Tirelli, Partner	Attend deposition of Cynthia Franklin 11:00am-5:00pm	6.00	\$375.00	\$2,250.00
7/15/2013	linda Tirelli, Partner	email CF to LT re taxes; has IRS docs, IRS BK dept, 2012 ext and pmt	0.30	\$375.00	\$112.50
7/15/2013	linda Tirelli, Partner	email LT to CF send proof of taxes; has IRS docs, IRS BK dept,	0.10	\$375.00	\$37.50
7/16/2013	linda Tirelli, Partner	email CF to LT NYS & Fed ext for 2012; sent \$200 cc for NYS, will scan checks tomorrow; with 2 attachments	0.10	\$375.00	\$37.50
7/17/2013	linda Tirelli, Partner	email LT To CF explaining CC cannot be used in BK and questioning if CF misspoke	0.10	\$375.00	\$37.50
7/17/2013	linda Tirelli, Partner	email CF to LT explaining CC situation and how its really paul's with her name on it	0.30	\$375.00	\$112.50
7/17/2013	linda Tirelli, Partner	email LT to CF saying if the CC is pauls and CF has no responsibility to pay then CC is okay; requesting TX valuation, pd appraisal, & market analysis	0.30	\$375.00	\$112.50
7/17/2013	linda Tirelli, Partner	email CF to LT re Credit, house appraised in 2010 post BK	0.10	\$375.00	\$37.50
7/17/2013	linda Tirelli, Partner	email LT to CF requesting a more recent appraisal for deal	0.20	\$375.00	\$75.00
7/17/2013	linda Tirelli, Partner	email CF to LT unsure of what IRS wants, 2011 filed, 2012 ext with 1 attachment	0.20	\$375.00	\$75.00
9/27/2013	Linda Tirelli, Partner	Discussion with clerk and OC, adjourn evidentiary hrg to 12/3	0.30	\$375.00	\$112.50
11/15/2013	linda Tirelli, Partner	email CF to LT re appraisal, confirmation hearing, judge drain ruling	0.20	\$375.00	\$75.00

Date	Staff	Description	Hours	Rate	Total
11/20/2013	Linda Tirelli, Partner	Prepare for evidentiary hearing review file	3.50	\$375.00	\$1,312.50
11/20/2013	Linda Tirelli, Partner	Discussion with Schiavo re trial notebook requesting she provide her exhibits asap as book is due	0.30	\$375.00	\$112.50
11/25/2013	Linda Tirelli, Partner	Prepare for evidentiary hearing review file	1.50	\$375.00	\$562.50
11/26/2013	Linda Tirelli, Partner	Assemble and deliver trial notebooks to court, confer w OC print and copy all exhibits	1.50	\$375.00	\$562.50
11/29/2013	Linda Tirelli, Partner	email LT to Daniel Silberger of NYSB court, attachment of Herman John Kennerty Transcript, order of Hon. John Waites of USBC of SC, with 12 attachments	0.40	\$375.00	\$150.00
12/1/2013	Linda Tirelli, Partner	prepare for evidentiary hrg, review file, prep client for testifying	6.50	\$375.00	\$2,437.50
12/2/2013	Linda Tirelli, Partner	prepare for evidentiary hrg, review file, mark exhibits, make copies, organize file, revise notes, review case with colleagues (Tom Cox, Max Gardner, Thad Bartholow) discuss case with Todd Cushner	4.50	\$375.00	\$1,687.50
12/3/2013	Linda Tirelli, Partner	attend evidentiary hrg, discuss with client, discussion with OC, final notes	7.00	\$375.00	\$2,625.00
12/9/2013	Linda Tirelli, Partner	Receive statement of case from JTeitelbaum in case of America Sanchez for evidentiary hearing sched for 12/10/13 find submission of a, "Endorsement Order Form" by wells fargo showing local counsel "request / ordered" a post-petition indorsement stamp on a note. Compare to Franklin testimony.	0.40	\$375.00	\$150.00
12/15/2013	Linda Tirelli, Partner	Research issue of post trial evidence of fraud (note indorsement order form submitted in SDNY in unrelated case I happen to be co-counseling on) confer with Tom Cox and Max Gardner re reopening discovery, might need something more, discussion with client	1.50	\$375.00	\$562.50
1/30/2014	Linda Tirelli, Partner	Research issue of post trial brief pper court directive	2.00	\$375.00	\$750.00
2/7/2014	Linda Tirelli, Partner	Reasearch draft edit file Emergency Motion to reopen Discovery re Wells Fargo "Note Indorsement Request Form" to the "Note Indorsement Team"	5.00	\$375.00	\$1,875.00
2/18/2014	Linda Tirelli, Partner	Final draft and edit of trial brief, submit to court	4.00	\$375.00	\$1,500.00
2/19/2014	Linda Tirelli, Partner	Read copy of a Wells Fargo Attorney Manual discussion with seasoned colleagues concerning authenticity of document and how to reopen the Franklin trial. Read entire manual	3.00	\$375.00	\$1,125.00
3/10/2014	Linda Tirelli, Partner	Draft Supplement to Motion to Reopen to include the WF Attorney Foreclosure Manual, Request for Admission and the admission of authenticity from the Mota case w J Gropper	4.00	\$375.00	\$1,500.00
3/11/2014	Linda Tirelli, Partner	Edit Supplement to Motion to Reopen to include the WF Attorney foreclosure manual and the Req for Admissions, file w the court	1.00	\$375.00	\$375.00
3/17/2014	Linda Tirelli, Partner	Refile supplement to Emergency Motion to Reopen	0.60	\$375.00	\$225.00
4/1/2014	Linda Tirelli, Partner	Third Supplemental Document pertaining to Emergency Mot to Reopen Discovery	1.08	\$375.00	\$406.25

Date	Staff	Description	Hours	Rate	Total
5/13/2014	Linda Tirelli, Partner	Read opposition to Mot to Reopen Discovery 9 pages, make notes, forward to client and colleagues	1.33	\$375.00	\$500.00
5/20/2014	Linda Tirelli, Partner	Prepare for oral argument on Emergency Mot to Reopen Discovery Post-Trial	1.00	\$375.00	\$375.00
5/21/2014	Linda Tirelli, Partner	Attend court hearing, oral argument regarding motion to reopen discovery w/Wells Fargo; meet and confer with opposing counsel; meet and confer with colleague regarding strategy	3.00	\$375.00	\$1,125.00
5/29/2014	Linda Tirelli, Partner	Read OC's post trial brief on the issues of electronic evidence at trial	0.70	\$375.00	\$262.50
6/2/2014	linda Tirelli, Partner	email LT to CF re: judge allowing addtl discovery; 1 attachment	0.20	\$375.00	\$75.00
6/5/2014	linda Tirelli, Partner	Email LT to Borack & AC re: fwd CF transcript	0.20	\$375.00	\$75.00
6/6/2014	linda Tirelli, Partner	Email AC to Borack fwd of CF transcripts	0.30	\$375.00	\$112.50
6/7/2014	Linda Tirelli, Partner	Review 6 additional foreclosure manuals produced by OC	6.00	\$375.00	\$2,250.00
6/9/2014	linda Tirelli, Partner	Email Zipes to LT requesting hearing transcripts	0.10	\$375.00	\$37.50
6/9/2014	linda Tirelli, Partner	Email LT to Zipes hearing transcript, Evidence issue, witness competen	0.30	\$375.00	\$112.50
7/1/2014	linda Tirelli, Partner	Email LT to LG trial brief re elec business records and competency of a witness; workable draft; Judge Drain opinion; 3 attachments	0.30	\$375.00	\$112.50
7/1/2014	Linda Tirelli, Partner	Discussion with colleagues re additional discovery and the pros and cons of seeking additional discovery	1.00	\$375.00	\$375.00
7/3/2014	Linda Tirelli, Partner	confer w client weighing in on the cost of additional depo transcripts and the additional WF manuals produced, likelihood of effect on the court, court's warning to know when to stop digging	0.70	\$375.00	\$262.50
7/9/2014	linda Tirelli, Partner	Email LT to Schiavo & Dunn; re CF 2nd supplemental, POC, amended POC with 1 attachment	0.30	\$375.00	\$112.50
7/18/2014	linda Tirelli, Partner	Email CF to LT re possibility to pay off plan sooner, WF int rate, NYC libraries, Dunn Allegations,	1.00	\$375.00	\$375.00
8/9/2014	linda Tirelli, Partner	Email CF to LT re banks gamemanship with numbers, no compensations	1.00	\$375.00	\$375.00
8/16/2014	linda Tirelli, Partner	email CF to LT re Skyfall, James dunn, clip,	0.30	\$375.00	\$112.50
8/16/2014	linda Tirelli, Partner	email CF to LT re another version of clip	0.20	\$375.00	\$75.00
8/26/2014	linda Tirelli, Partner	email Schiavo to LT Franklin responses 6 of 7, with 4 attachments	0.10	\$375.00	\$37.50
8/26/2014	linda Tirelli, Partner	email Schiavo to LT Franklin responses 7 of 7, with 5 attachments	0.10	\$375.00	\$37.50
9/15/2014	Linda Tirelli, Partner	confer with David Dunn and N Schiavo WF continues with a no-settlement/no pay position, discuss additional witnesses, discuss closing out discovery as is	0.60	\$375.00	\$225.00
9/16/2014	Linda Tirelli, Partner	Read Schiavo letter re closing discovery	0.10	\$375.00	\$37.50
9/18/2014	linda Tirelli, Partner	email Brittany to LT Discovery memorandum	0.30	\$250.00	\$75.00

Date	Staff	Description	Hours	Rate	Total
9/23/2014	linda Tirelli, Partner	email LT to CF requesting call	0.10	\$375.00	\$37.50
9/24/2014	linda Tirelli, Partner	email LT to Silverberg re letter req court to render a decision; 1 attachment	0.30	\$375.00	\$112.50
9/24/2014	Linda Tirelli, Partner	Discuss discovery with client, decision to close discovery draft cor to court closing discovery	0.40	\$375.00	\$150.00
1/29/2015	linda Tirelli, Partner	email LT to CF re Judge Drain opinion	0.10	\$375.00	\$37.50
1/29/2015	Linda Tirelli, Partner	READ THE BEST 40 PAGE OPINION IN THE HISTORY OF BANKRUPTCY LITIGATION, FORECLOSURE CRISIS AND BANK FRAUD- NO CHARGE!!!!!!	0.00	\$375.00	\$0.00
1/30/2015	linda Tirelli, Partner	email LT to CF requesting a phone call	0.10	\$375.00	\$37.50
2/6/2015	linda Tirelli, Partner	email LT to Judge Drain re proposed order for decision; 1 attachment	0.20	\$375.00	\$75.00
2/9/2015	linda Tirelli, Partner	email LT to Cf- order entered disallowing claim, phone conf with Thad Bartholow, entering order, WF 14 day	0.75	\$375.00	\$281.25
2/20/2015	Linda Tirelli, Partner	email LT to CF & thad, re: Not of Appeal, designation of Recd, BK proceedings, appellate court affirmative,	1.00	\$375.00	\$375.00
2/20/2015	Linda Tirelli, Partner	Read Notice of Intent to appeal forward to client and TX counsel Thad Bartholow	0.20	\$375.00	\$75.00
3/6/2015	Linda Tirelli, Partner	Review Schiavo Designation of Record call to discuss Appeal with Tara Twoomey, Esq., discuss case and NACA interest	0.60	\$375.00	\$225.00
3/9/2015	Linda Tirelli, Partner	Discuss appeal with client and assigned District Court Judge Karas	0.20	\$375.00	\$75.00
3/18/2015	linda Tirelli, Partner	email LT to Schiavo re : stip to extend the deadline with 1 attachment	0.20	\$375.00	\$75.00
3/18/2015	Linda Tirelli, Partner	Draft and enter stip to extend time to designate record	0.60	\$375.00	\$225.00
3/19/2015	Linda Tirelli, Partner	So Ordered Endorsement by J Karas re extention to designate record	0.10	\$375.00	\$37.50
3/29/2015	linda Tirelli, Partner	confirm with associate Atty Lust	0.40	\$375.00	\$150.00
3/29/2015	linda Tirelli, Partner	confirm with associate Atty Lust	0.10	\$375.00	\$37.50
3/30/2015	Linda Tirelli, Partner	Review and edit designation of record confer with Tara Twoomey, Esq.	1.00	\$375.00	\$375.00
4/1/2015	Linda Tirelli, Partner	Discuss briefing schedule w OC, review court rules review proposed stip by OC, execute	0.60	\$375.00	\$225.00
4/17/2015	linda Tirelli, Partner	email LT to Dunn & Schiavo, re District court corr with 1 attachment	0.20	\$375.00	\$75.00
4/17/2015	Linda Tirelli, Partner	Read letter motion from David Dunn requesting the Kennerty deposition be filed under seal	0.60	\$375.00	\$225.00
4/17/2015	Linda Tirelli, Partner	Draft and file responsive letter requesting time to fully respond and obj to Dunn's request to file Kennerty Trans under seal	0.40	\$375.00	\$150.00
4/20/2015	Linda Tirelli, Partner	research, draft and file responsive opposition to Dunn's letter motion to file Kennerty deposition transcript under seal	3.00	\$375.00	\$1,125.00

Date	Staff	Description	Hours	Rate	Total
4/21/2015	linda Tirelli, Partner	email LT to Elizabeth Cohen of DFS NY, Kennerty Depo, errata sheet, PO issued until Depo admitted at trial, CF case on appeal, WF filed a letter motion to have kennerty Depo sealed; with 3 attachments	0.40	\$375.00	\$150.00
4/23/2015	linda Tirelli, Partner	email LT to Judge Drain, re Appeal update	0.10	\$375.00	\$37.50
4/23/2015	linda Tirelli, Partner	confirm with partner Atty Cushner Re: Protective Order, decision,	0.30	\$375.00	\$112.50
4/23/2015	linda Tirelli, Partner	confirm with Colleague Max Gardner on Franklin Cor to District court re opp to reconsider; with 1 attach	0.20	\$375.00	\$75.00
4/23/2015	linda Tirelli, Partner	confer with Colleague Max Gardner and Tara Twoomey reviewing designation of record and discussion about Record, ecf by way of exhibits, contacting law clerk is ex parte, entire trial notebook as submitted, all evidence at trial	0.40	\$375.00	\$150.00
4/23/2015	linda Tirelli, Partner	email LT to Tara Twomey, conferring with colleague, direct response to OC, misrepresenting the truth in existence of PO, OC lack credibility	0.40	\$375.00	\$150.00
4/23/2015	linda Tirelli, Partner	email LT to Irina, OC in part of case, OC caught in lie, fwd of memo endorsement to Hon. Judge Drain.	0.30	\$375.00	\$112.50
4/23/2015	linda Tirelli, Partner	email Irina to LT, following CF endorsement	0.10	\$375.00	\$37.50
4/23/2015	linda Tirelli, Partner	email LT to Irina memo endorsement credibility	0.10	\$375.00	\$37.50
4/23/2015	linda Tirelli, Partner	email Irina to LT, court is at a loss, understand appellants represent that the transcript remains under seal	0.20	\$375.00	\$75.00
4/23/2015	linda Tirelli, Partner	email LT to Irina, court decision setting tone, court picked up on lie, looking fwd to OC brief	0.20	\$375.00	\$75.00
4/23/2015	linda Tirelli, Partner	email Irina to LT, request to seal denied	0.10	\$375.00	\$37.50
4/23/2015	Linda Tirelli, Partner	Read Judge Karas's memo endorsement DENYING Dunn's motion to file the Kennerty Depo under seal, send copy to client and colleagues	0.40	\$375.00	\$150.00
4/25/2015	linda Tirelli, Partner	email LT to Tara Twomey, conferring with colleague reconsidering ruling, keeping Kennerty Depo under seal, doc admitted into evidence, OC objection to relevance, no pending PO, depo admitted at trial ; with 2 attachments	0.30	\$375.00	\$112.50
4/26/2015	linda Tirelli, Partner	email CF to LT confirming pmt made in full to huseby	0.20	\$375.00	\$75.00
4/26/2015	linda Tirelli, Partner	email LT to CF confirming pmt receipt to Huseby	0.10	\$375.00	\$37.50
4/27/2015	linda Tirelli, Partner	email LT to Schiavo, depo made public, PO no longer in place, extend brief deadline, respond to letter,	0.30	\$375.00	\$112.50
4/27/2015	linda Tirelli, Partner	email Schiavo to LT proposed stip extending brief deadlines, confirm okay to file; 1 attachment	0.20	\$375.00	\$75.00
4/27/2015	Linda Tirelli, Partner	read Deunn letter motion to reconsider ruling denying filing kennerty depo under seal	0.58	\$375.00	\$218.75
4/28/2015	linda Tirelli, Partner	email Schiavo to LT, re Franklin stip annexed	0.10	\$375.00	\$37.50

Date	Staff	Description	Hours	Rate	Total
4/28/2015	linda Tirelli, Partner	email LT to Schiavo, re what stipulation requires approval	0.10	\$375.00	\$37.50
4/28/2015	linda Tirelli, Partner	EMAIL schiavo to LT, re follow up on franklin strip, requesting approval to file	0.20	\$375.00	\$75.00
4/29/2015	Linda Tirelli, Partner	Discuss and enter stip to revise briefing schedule with OC Schiavo	0.40	\$375.00	\$150.00
5/3/2015	Linda Tirelli, Partner	Research & Confer w/ counsel in New Mexico in case where BK court cited J Drain's Franklin Opinion and the reliance on the Kennerty depo, obtain copy of related docs in the NM case, draft opposition to Mot to Reconsider citing NM case	0.60	\$375.00	\$225.00
5/4/2015	Linda Tirelli, Partner	Draft and file opposition to Dunn's Mot to Reconsider citing other courts' reliance on the opinion which	2.50	\$375.00	\$937.50
5/6/2015	Linda Tirelli, Partner	Read seething memo endorsement by J Kara denying Dunn Mot to Reconsider, bc "proverbial cat is out of the bag" forward copy to client	0.40	\$375.00	\$150.00
5/11/2015	Linda Tirelli, Partner	Read Appellant's Brief, make notations, pull cited cases for review, discuss response with associate Irina Lust	3.00	\$375.00	\$1,125.00
5/15/2015	Linda Tirelli, Partner	Conference with NCLC attys to discuss the Franklin appeal and strategy for the appeal, pull caselaw, forward to Irina Lust	1.60	\$375.00	\$600.00
5/29/2015	Linda Tirelli, Partner	Start outline of Brief, pull relevant docs from record	2.30	\$375.00	\$862.50
6/12/2015	Linda Tirelli, Partner	review IL's first draft of the brief, mark up, provide additional briefs for reference	2.10	\$375.00	\$787.50
6/12/2015	linda Tirelli, Partner	email Irina to LT Brief draft 1 with 1 attachment	0.10	\$375.00	\$37.50
6/17/2015	linda Tirelli, Partner	email LT to DiSalvo & Correa, direct inquiry for courts, appellee brief trial notebooks reference, designation of record, certified copies of notebooks needed,	0.50	\$375.00	\$187.50
6/17/2015	linda Tirelli, Partner	email Irina to LT Brief draft 1 with 2nd argument and partial 1st arg with 1 attachment	0.20	\$375.00	\$75.00
6/18/2015	Linda Tirelli, Partner	Read 2nd draft of Brief from IL, mark up, add cites and references	2.00	\$375.00	\$750.00
6/19/2015	linda Tirelli, Partner	email LT to david baker, Max Gardner, THad, Tara Twomey, tim co re: requesting assistance with appellate brief and providing minimal background, with 6 attachments	1.00	\$375.00	\$375.00
6/19/2015	linda Tirelli, Partner	email John Cantrell to LT with beginning suggestions & revisions, 7+	1.00	\$375.00	\$375.00
6/19/2015	linda Tirelli, Partner	email Tom Cox to LT, will revise after BK attorneys make content edits	0.30	\$375.00	\$112.50
6/19/2015	linda Tirelli, Partner	email Tara Twomey to LT offering her help in revisions of Brief	0.10	\$375.00	\$37.50
6/19/2015	linda Tirelli, Partner	email LT to Tara Twomey , thanking her for her services	0.10	\$375.00	\$37.50
6/19/2015	linda Tirelli, Partner	email Irina Lust to LT, re appellee brief third revision, 1 attachment argument rearranged, case law, specific quotes,	0.30	\$375.00	\$112.50

Date	Staff	Description	Hours	Rate	Total
6/19/2015	linda Tirelli, Partner	email LT to Irina, def of Unioil, MFSJ, 30b6 witness, depo transcript Appendix 1, lack of credibility, agency relationship btw w/F/Freddie Mac, no possession of note, with 2 attachments	1.00	\$375.00	\$375.00
6/20/2015	linda Tirelli, Partner	email Tara twomey to LT questioning the 25pg limit inconsistent with rules,	0.20	\$375.00	\$75.00
6/20/2015	linda Tirelli, Partner	email LT to Tara Twomey & Irina Lust explaining 25 pg local rule for brief and 15 pg final reply	0.20	\$375.00	\$75.00
6/20/2015	linda Tirelli, Partner	email Max Gardner to LT, will review, requesting Box and Track Change feature	0.20	\$375.00	\$75.00
6/20/2015	linda Tirelli, Partner	email Thad to LT, confirming receipt and will help with process	0.10	\$375.00	\$37.50
6/20/2015	linda Tirelli, Partner	email LT to Thad, confirming receipt of his email	0.10	\$375.00	\$37.50
6/20/2015	Linda Tirelli, Partner	email LT to Cantrell confirnring receipt of his revisions and they were implemented	0.10	\$375.00	\$37.50
6/21/2015	linda Tirelli, Partner	email Tara Twamoney to LT re Brief revisions with 2 attachments	0.10	\$375.00	\$37.50
6/21/2015	linda Tirelli, Partner	email LT to Irina, fwd TT revisions	0.10	\$375.00	\$37.50
6/22/2015	linda Tirelli, Partner	email Max Gardner to LT, attached brief with suggested changes	0.10	\$375.00	\$37.50
6/22/2015	linda Tirelli, Partner	email LT to Tara Twomey, re Franklin Brief revisions, cutting down to 25 pages, cite the record, with 1 attachment	0.30	\$375.00	\$112.50
6/23/2015	linda Tirelli, Partner	email John Cantrell to LT, Franklin Brief revisions & explanations, with 1 attachment	0.40	\$375.00	\$150.00
6/23/2015	linda Tirelli, Partner	email Thad Barthlow to LT, Brief revisions, and explanations on middle section, restatement needs to be edited to reflect a response, focus points; with 1 attachment	0.30	\$375.00	\$112.50
6/23/2015	linda Tirelli, Partner	email LT to Thad, Mx, Cantrell, Irina Lust, re: final copy of brief subject to any further critiques submitted by review colleagues	0.30	\$375.00	\$112.50
6/23/2015	linda Tirelli, Partner	Email LT to Max Gardner, confer with colleague on breif, accepted all suggested edits, standard review, 8013, statement on the issues	0.40	\$375.00	\$150.00
6/24/2015	linda Tirelli, Partner	email LT to Max Gardner, confer with colleague on Franklin Brief, OC has 30 days to respond; with 1 attachment	0.20	\$375.00	\$75.00
6/24/2015	linda Tirelli, Partner	email LT to CF, re Appellee Brief, 2500+ pgs, CD copy, other parties whom assisted	0.40	\$375.00	\$150.00
6/27/2015	linda Tirelli, Partner	email CF to LT, re Pacer Upload, Cert of Svc, Bronxville Address chang	0.30	\$375.00	\$112.50
6/27/2015	linda Tirelli, Partner	email LT to cf, re confirmation of address update to WP addres	0.20	\$375.00	\$75.00
6/30/2015	linda Tirelli, Partner	Email LT to Andy Velez Rivera & Zipes, re no request for oral argument	0.20	\$375.00	\$75.00
6/30/2015	linda Tirelli, Partner	email Andy Velez to LT, re update for oral argument	0.10	\$375.00	\$37.50
7/15/2015	linda Tirelli, Partner	email Irina to LT Appellees Brief Revision 2 including argument 1 with 1 attachment	0.10	\$375.00	\$37.50

Date	Staff	Description	Hours	Rate	Total
8/15/2015	Linda Tirelli, Partner	Read Appellant's Response Brief, email copy to client, discuss with client	1.50	\$375.00	\$562.50
5/13/2016	Linda Tirelli, Partner	Read letter to USDC Judge Karas from OC (Atty David Dunn ) essentially telling the Judge that case has been fully submitted since July 2015, and ask that a decision be rendered by July 27 2016 - basically implying that United States Federal District Court should hurry up and make a decision by a suggested deadline. Confer with Tara Twoomey and John Rao, call to client all agree the letter is offensive and best not to respond or otherwise chime in.	0.77	\$375.00	\$287.50
		<b>Subtotal: Linda Tirelli, Partner</b>	<b>309.90</b>		<b>\$112,431.25</b>
		<b>Amount Due</b>	<b>388.80</b>		<b>\$145,542.78</b>

**EXHIBIT “B”**

**RETAINER**

**AGREEMENT**

# THE LAW OFFICES OF LINDA M. TIRELLI, PC

**1100 SUMMER STREET, THIRD FLOOR • STAMFORD, CT 06905**  
**PHONE (203)653-2203 • FAX (914)946-0870 • EMAIL WESTCHESTERLEGAL@AOL.COM**

-All correspondence and service MUST be addressed to the White Plains NY Office-

Linda M. Tirelli\*

White Plains, NY Office  
(By Appointment Only)  
202 Mamaroneck Ave., 3<sup>rd</sup> Floor  
White Plains, NY 10601  
(914) 946-0860

\* Admitted CT and SDNY

## CONTRACT FOR CHAPTER 13 BANKRUPTCY SERVICES

This Agreement is executed this the 16<sup>th</sup> day of July, 2010, by and between The Law Offices of Linda M. Tirelli (the Attorney) and Cynthia C. Franklin (the Debtor). The parties agree as follows:

### 1. Type of Bankruptcy.

Debtor retains attorney to file a Chapter 13 bankruptcy case. If the Debtor determines at a later date that the Debtor desires to file a Chapter 7 bankruptcy case, the parties shall execute a new fee contract setting forth the terms of such representation. If Debtor elects to convert the Chapter 13 case to a Chapter 7 case, then Attorney shall be under no duty to prepare and file the necessary court papers until the new fee agreement has been signed and the agreed upon fees paid.

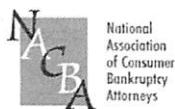
### 2. Base Attorney Fees.

The base attorney fee for filing the Chapter 13 bankruptcy case is \$5000.00. The base fee shall be as follows: the sum of \$4000 is due on August 16, 2010 and the sum of \$1000 is to be paid as an "up front" payment in part prior to filing. The services of the attorney included in the base fee are those normally contemplated for a Chapter 13 case. They include the services listed below:

- (a) Preparation and electronic filing of petition, schedules, supplemental local forms, Chapter 13 Plan and mailing matrix.
- (b) Drafting and mailing notice to creditors advising of filing of case, including a copy of your Chapter 13 Plan.
- (c) Drafting and mailing to you a letter regarding your attendance at the Section 341 meeting and your other responsibilities.
- (d) Preparation for and attendance at Section 341 meeting.
- (e) Review of order confirming plan and periodic case status reports from the Chapter 13 trustee.
- (f) Review of trustee's motion for allowance of claims.
- (g) Maintaining custody and control of case files.
- (h) Service of orders on all affected parties.
- (i) Verification of your identity and social security number.
- (j) Defending objections to confirmation of your Chapter 13 Plan.

CCF

**INITIALS**



\*The Law Offices of Linda M. Tirelli and Westchester Legal Credit Solutions, designated as a Federal Debt Relief Agency by an Act of Congress and the President of the United States, proudly assists consumers seeking relief under the US Bankruptcy Code. Attorney Linda Tirelli is a proud and active member of the NACBA, devoted to the assistance of consumer debtors.

The base fee shall also include the following services to the extent they are requested or reasonably necessary for your effective representation:

- (a) Preparation and filing of proofs of claim on your behalf for your creditors.
- (b) Drafting and filing objections to scheduled and unscheduled proofs of claim.
- (c) Assumptions and rejections of unexpired leases and executory contracts.
- (d) Preparation for and attendance at valuation hearings.
- (e) Motions to transfer venue.
- (f) Requesting copies of proofs of claim from Trustee.
- (g) Consultation with you regarding obtaining post-petition credit (no motion filed).
- (h) Motions to avoid liens.
- (i) Calculation of plan payment modifications (no motion filed).
- (j) Adding creditor address to mailing matrix as necessary.
- (k) Responding to written creditor contacts regarding plan terms, valuation of collateral, claim amounts and the like.
- (l) Responding to your contacts regarding changes in your financial and personal circumstances and advising the Court and Trustee of the same.
- (m) Communicating with you regarding payment defaults, insurance coverage, credit disability and the like.
- (n) Obtaining and providing the Trustee with copies of documents relating to lien perfection issues.
- (o) Notifying creditors of entry of discharge.
- (p) Notifying creditors by certified mail of alleged violations of the automatic stay.
- (q) Drafting and mailing letters regarding voluntary turnover of property.
- (r) Review of documents in relation to the use or sale of collateral (no motion filed).
- (s) Providing you with a list of answers to frequently asked questions and other routine communications with you.

### **3. Non-Base Attorney Fees.**

In some Chapter 13 cases, the legal services which are beyond those contemplated in the base fee must nonetheless be provided by the Attorney. These legal services are also listed below:

- (a) Abandonment of property post-confirmation.
- (b) Motion for moratorium.
- (c) Motion for authority to sell property.
- (d) Motion to modify.
- (e) Motion to use cash collateral or to incur credit.
- (f) Defense of motion for relief from stay or co-debtor stay.
- (g) Defense of motion to dismiss filed after confirmation of your plan.
- (h) Non-base fee requests.
- (i) Stay violation litigation, including amounts paid as fees by the creditor or other party.
- (j) Post-discharge injunction actions.
- (k) Adversary proceedings.
- (l) Wage garnishment orders
- (m) Turnover adversaries.
- (n) Conversion to Chapter 7.
- (o) Motions to substitute collateral.
- (p) Motions For Discharge.
- (q) Any other matter not covered by the base fee.

  
**INITIALS**

For such non-base services, you may be charged without any further notice and in the discretion of the Court non-base fees for the following services and in the amounts noted:

Defense of motion to dismiss the case	\$200.00
Motion to modify order, including moratorium	\$350.00
Motion to substitute collateral	\$450.00
Defense of Motion to lift any stay	\$450.00
Motion to sell real or personal property	\$450.00

The Attorney, in his discretion, may also keep time and expense records for any non-base service and apply to the Court for the approval of the fee plus all expenses incurred. The current hourly fee for your Attorney is \$375.00. All base and non-base fees will be added to your plan (unless paid directly by Debtor or a third-party such as a creditor in a contested case) and will be paid through the plan. It is possible that any non-base fees added to your plan may result in an increase in your monthly plan payment or in an extension of the length of your plan or both.

#### **4. Contingent Fees.**

The attorney will be entitled to a contingency fee equal to 50% of any actual recovery from any party for a violation of the automatic stay, the co-debtor stay, the discharge injunction, for breach of the plan or any terms thereof, or for breach of any state or federal consumer protection statutes. The New York Contingency Fee Addendum form is attached to and made a part of this Agreement.

#### **5. Expenses.**

The Attorney shall be entitled to apply to the Court for approval of any expenses related to your case for base fee or non-base fee services. Such expenses include but are not limited to court fees, telephone fees, fax fees, copy fees, postage fees, PACER fees, electronic or other research fees. In the Court's discretion, the Attorney may request without any notice or documentation a blanket expense of \$1.00 for each item noticed to creditors as an expense for postage, copying and envelopes.

#### **6. Court Approval of Fees.**

All fees included in this Agreement are subject to the control of the United States Bankruptcy Court for the Southern District of New York. Any changes in the presumed non-base fees by the Court shall be deemed to immediately modify and amend the terms and conditions of this Agreement as to the non-base fees and shall be incorporated herein by this reference. Any subsequent increase in the base fees by the Court shall have no impact on the original base fee provided for in this Agreement.

#### **7. Assumptions for the Base Fee.**

The base fee is based on the following assumptions:

- (a) The Debtor has provided the Attorney with all requested information.
- (b) The Debtor has provided the Attorney with complete and accurate information.
- (c) The Debtor's circumstances, especially the Debtor's current monthly income (as defined by the Bankruptcy Code) does not substantially change prior to the filing of the case.
- (d) The Debtor will provide all requested documents within 15 days of the date of this Agreement.

CCF  
INITIALS

**8. Costs and Expenses to be paid directly by Debtor.**

The debtor shall pay all costs related to the filing of the bankruptcy case. These costs currently include the court filing fee of \$274.00; the costs of mandatory pre-filing credit counseling, which is approximately \$50.00; the mandatory post-filing educational course, which is also approximately \$50.00; the costs of any PACER checks, which is approximately \$10.00; the costs of any appraisals of real or personal property; the costs of obtain current consumer reports in the Debtor is not entitled to free reports; and any other costs as agreed to by the parties.

*Pd to teach classes  
Pd 274.00 filing fee*

**9. First Payment.**

The Debtor must be in a position to make the first full Chapter 13 monthly plan payment at the time the Debtor signs the Chapter 13 court papers. This payment must be made at this time because under local Court Rules the case will be automatically dismissed unless this payment is made within 10 days of the filing of the bankruptcy case. The Debtor must also pay or have paid the \$274.00 filing fee at the time of sign and secured and paid for the consumer credit counseling certificate. ✓

**10. Mortgage Payments.**

The Debtor acknowledges that the contract mortgage payments on residential real estate cannot be reduced under the Bankruptcy laws but will be paid as follows:

- (a) By adding the amount of the payment (plus any back payments), and any future increases as allowed by the mortgage contract, to the Chapter 13 plan payment. As a result, the Debtor will only be responsible for making one single debt payment per month, said payment being the Chapter 13 plan payment; or
- (b) By including only the pre-filing arrears or back payments in the plan, with the Debtor being responsible for making all future mortgage payments directly to the mortgage company.

The Debtor has elected to proceed with option: \_\_\_\_\_

*CCF*  
INITIALS

**11. Debtor's Obligations.**

The Debtor's obligations are as follows:

- (a) To provide the Attorney with all requested documents, bills statements, payment advices, bank records, tax returns, tax bills, appraisals, retirement and savings account, and income information and to sign any and all necessary forms to allow the Attorney to secure such documentation.
- (b) To provide accurately and honestly all of the information necessary to prepare and file the Chapter 13 bankruptcy case, and other motions or proceedings arising during the course of the case.
- (c) To timely respond to all letters, emails and telephone calls from the Attorney or any member of his staff.
- (d) To keep the Attorney advised at all times of the Debtor's mailing and physical addresses, telephone numbers, and email addresses.

*CCF*  
INITIALS

- (e) To appear at the first meeting of creditors (the 341 meeting) and at any other court hearings or meetings as may be required by the Court or any other party.
- (f) To keep all scheduled office appointments with the Attorney and to notify the Attorney in advance of any problems with the timing and scheduling or rescheduling of such appointments.
- (g) To contact the attorney by Telephone with the understanding that the Attorney is only able to return calls between the hours of 8:00 a.m. to 9:30 a.m. and 4:00 p.m. to 6:00 p.m. If the Attorney is available when the call is actually received, then the call will be taken at that time. However, if you have to leave a message for the Attorney then you must provide a number that you can be reached at during the designated times. The Attorney or Legal Assistant will make every effort to return all such telephone calls within 48 hours, excluding weekends and holidays.
- (h) To provide any information requested of the Debtor by the Chapter 13 Trustee, the Bankruptcy Administrator, or any other party in the case, unless the Court rules that the Debtor is not required to provide such information.
- (i) To respond as soon as possible to any requests for the Debtor by the Attorney or his Legal Assistant.
- (j) To comply with the obligations imposed upon the Debtor by the Local Rules of the Bankruptcy Court for the Southern District of New York, a copy of which is attached to this Agreement.
- (k) To sign a tax authorization form to authorize the Attorney to get copies of income tax returns from the respective taxing agencies for a period of four (4) years prior to the filing of your bankruptcy case.
- (l) To provide current bank account information to include monthly statements as requested and online account balances as of the date of the signing of your bankruptcy petition packet.

## **12. Attorney Withdrawal from Chapter 13 case, Adversary Proceeding or Contested Matter.**

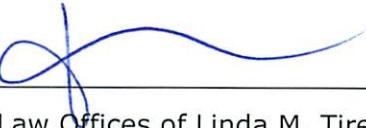
Pursuant to the Local Rules of the Bankruptcy Court, the Attorney shall remain the responsible attorney of record for the Debtor in all matters in the case until the case is closed, dismissed or the discharge is entered or until the Attorney is relieved from such representation by order of the Court. The parties agree that just reasons for the Attorney to withdraw from the representation of the Debtor, include but are not limited to the following:

- (a) The failure of the Debtor to provide complete, truthful and accurate information to the Attorney.
- (b) The failure of the Debtor to comply with the Debtor's obligations as provided for in this Agreement and in the Local Rules.
- (c) The failure of the Debtor to comply with any of the obligations imposed on the Debtor by the Bankruptcy Code and the Bankruptcy Rules.
- (d) The failure or refusal of the Debtor to comply with the Debtor's obligations to provide any supplemental information to the Court or to the Chapter 13 Trustee or to correct any incorrect or incomplete information previously provided to the Court or the Trustee.

CCF  
**INITIALS**

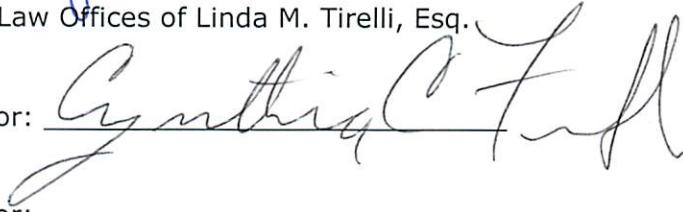
- (d) The failure of the Debtor to provide complete, truthful and accurate information to the Court, the Chapter 13 Trustee and the Bankruptcy Administrator.
- (e) If the Debtor are husband and wife, then any separation, serious domestic dispute, or divorce of the parties.
- (f) Any irreconcilable conflict between the Attorney and the Debtor with respect to the case.

Dated: 7-16-10

By: 

Law Offices of Linda M. Tirelli, Esq.

Dated: \_\_\_\_\_

Debtor: 

Dated: \_\_\_\_\_

Debtor: \_\_\_\_\_

  
**INITIALS**

# **EXHIBIT "C"**

**INVOICE OF JOHN**

**CANTRELL, ESQ.**

**(LOCAL COUNSE IN**

**SOUTH CAROLINA)**



**Cantrell Legal, PC  
PO Box 1276  
Goose Creek, SC 29445-1276**

October 19, 2012

Linda Tirelli

<u>Date</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
	<b>Previous Balance</b>			<b>\$0.00</b>
7/21/2011	Prepare and file Franklin COS	0.24	\$250.00	\$60.56
7/21/2011	Prepare Franklin Objection for filing	0.75	\$250.00	\$188.26
8/25/2011	Call local counsel on Franklin and Mota re: admitting Linda	0.03	\$250.00	\$8.61
8/25/2011	Prepare and file Franklin pro hac vice motion	0.78	\$250.00	\$195.35
8/25/2011	Review Franklin pro hac vice motion	0.16	\$250.00	\$38.89
9/2/2011	Call from Linda re: both cases and supplemental motion and hearing	0.60	\$250.00	\$150.00
9/2/2011	File Franklin supplemental objection	0.12	\$250.00	\$29.17
9/2/2011	Review and edit supplemental Franklin Objection before filing	0.27	\$250.00	\$66.67
9/9/2011	Attend hearing on MPO for Franklin (1/2 actual time)	0.85	\$250.00	\$212.50
9/9/2011	Travel to court and back for hearing on Franklin (1/2 actual time)	1.50	\$250.00	\$375.00
9/16/2011	Review court order on Franklin	0.24	\$250.00	\$60.90
10/14/2012	Travel to Charlotte and back for Franklin depo (1/2 actual time)	1.58	\$125.00	\$197.92
10/19/2012	Attend Franklin depo of Kennerty	<u>4.92</u>	<u>\$250.00</u>	<u>\$1,229.17</u>
	<b>Amount Due</b>	<b>12.04</b>		<b>\$2,813.00</b>

Thank You! - Balance is due upon receipt  
1.5% interest per month on unpaid balances